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David E. Fink, *admitted pro hac vice*
Allison S. Rohrer, *admitted pro hac vice*
Tami Kameda, *admitted pro hac vice*
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American Broadcasting Companies, Inc., and ABC, Inc.
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UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

Dr. FREDERICK K. C. PRICE, an individual,

Plaintiff,

v.

JOHN STOSSEL, an individual, GLENN
RUPPEL, an individual, AMERICAN
BROADCASTING COMPANIES, INC., a
Delaware corporation, ABC INC., a Delaware
corporation, OLE ANTHONY, an individual,
TRINITY FOUNDATION, INC., an entity,
form unknown,
Defendants.

Civil Action No. 07-CV-11364 (SWK) (THK)

The Honorable Shirley Wohl Kram

DECLARATION OF ALLISON S. ROHRER
IN SUPPORT OF THE MOTION OF
DEFENDANTS JOHN STOSSEL, GLENN
RUPPEL, AMERICAN BROADCASTING
COMPANIES, INC. AND ABC, INC. TO
TRANSFER VENUE PURSUANT TO 28
U.S.C. § 1404(a)

ORAL ARGUMENT REQUESTED

DECLARATION OF ALLISON S. ROHRER

I, Allison S. Rohrer, declare as follows:

1. I am an attorney duly admitted to practice before this Court. I am an associate at White O'Connor Fink & Brenner LLP, attorneys of record for John Stossel, Glenn Ruppel, American Broadcasting Companies, Inc., and ABC, Inc. (collectively, "ABC"). I have personal knowledge of the facts set forth herein, except as to those stated on information and belief and,

as to those, I am informed and believe them to be true. If called as a witness, I could and would competently testify to the matters stated herein.

2. We received a document entitled Statement of Information, which document my colleague, Tami Kameda, ordered from the California Secretary of State. A true and correct copy of the Statement of Information is attached hereto as Exhibit 1. The Statement of Information is for Crenshaw Christian Center Church of Los Angeles (the "CA Church"). The Statement of Information, filed July 6, 2007, identifies the following individuals as officers or agents of the CA Church:

- (a) Frederick K.C. Price – Chief Executive Officer;
- (b) Angela M. Evans (Daughter of Plaintiff Frederick K.C. Price ("Price")) – President, Agent for Service of Process;
- (c) Jeannette Fant – Secretary; and
- (d) Ronald K. Jones – Chief Financial Officer.

All of the individuals identified in the Statement of Information listed addresses within Los Angeles County.

3. On January 17, 2008, in the chambers of the Honorable Mark Mooney of the Los Angeles Superior Court, a conference was held on why Price's California state court complaint should not be dismissed without the need to conduct a further status conference. I attended the conference on behalf of ABC. Richelle L. Kemler attended the conference on behalf of Price.

4. During the conference, Judge Mooney inquired about the status of the case, and Ms. Kemler and I explained that it was removed to federal court on the grounds of diversity, and then dismissed without prejudice for the purposes of mediation. We further explained that Price re-filed in the United States District Court for the Southern District of New York (the "Southern District"). I indicated to Judge Mooney that Plaintiff's re-filing in New York was a surprise, and

that ABC might seek to transfer the case back to the United States District Court for the Central District of California (the "Central District").

5. Judge Mooney stated that he was inclined to "stay or suspend" the state court case for approximately six (6) months (until July 22, 2008), in order to see what happened in the Southern District. Ms. Kemler expressly stated that Price wanted the state court case to be stayed. I respectfully raised the issue that it was questionable whether Judge Mooney still retained any jurisdiction or authority over the state court case since it had been successfully removed to the Central District, and then dismissed without prejudice. Judge Mooney agreed, and indicated that he did not believe he had the authority but he did not know for certain. Accordingly, I expressly reserved the right for ABC to raise any jurisdictional issues in the unlikely event the state court retained jurisdiction. Based on Ms. Kemler's express request for a stay, Judge Mooney set another conference for July 22, 2008.

I declare under penalty of perjury that the foregoing is true and correct.

Executed April 24, 2008, at Los Angeles, California.


Allison S. Rohrer

EXHIBIT 1

to

DECLARATION OF ALLISON S. ROHRER IN SUPPORT OF
ABC'S MOTION TO TRANSFER



State of California
Secretary of State

I, DEBRA BOWEN, Secretary of State of the State of California, hereby certify:

That the attached transcript of 1 page(s) was prepared by and in this office from the record on file, of which it purports to be a copy, and that it is full, true and correct.



IN WITNESS WHEREOF, I execute this certificate and affix the Great Seal of the State of California this day of

MAR 21 2008

Debra Bowen

DEBRA BOWEN
Secretary of State



State of California

Secretary of State

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STATEMENT OF INFORMATION

(Domestic Nonprofit Corporation)

22

07-325987

Filing Fee \$20.00. If amendment, see instructions.

IMPORTANT — READ INSTRUCTIONS BEFORE COMPLETING THIS FORM**1. CORPORATE NAME** (Please do not alter if name is preprinted.)

C0606764 RE NCD
 CRENSHAW CHRISTIAN CENTER CHURCH OF
 LOS ANGELES COUNTY
 7901 S VERMONT AVE
 LOS ANGELES CA 90044

FILED
 In the office of the Secretary of State
 of the State of California

JUL 06 2007

This Space For Filing Use Only

DUE DATE: 08-31-07**COMPLETE PRINCIPAL OFFICE ADDRESS** (Do not abbreviate the name of the city. Item 2 cannot be a P.O. Box.)**2. STREET ADDRESS OF PRINCIPAL OFFICE IN CALIFORNIA, IF ANY**

CITY

STATE ZIP CODE

7901 SOUTH VERMONT AVENUE

LOS ANGELES

CA 90044

NAMES AND COMPLETE ADDRESSES OF THE FOLLOWING OFFICERS (The corporation must have these three officers. A comparable title for the specific officer may be added; however, the preprinted titles on this form must not be altered.)**3. CHIEF EXECUTIVE OFFICER/**

ADDRESS

CITY AND STATE

ZIP CODE

FREDERICK K.C. PRICE

7901 SOUTH VERMONT AVE.

LOS ANGELES, CA

90044

4. SECRETARY/

ADDRESS

CITY AND STATE

ZIP CODE

JENNETTE FANT

7901 SOUTH VERMONT AVE.

LOS ANGELES, CA

90044

5. CHIEF FINANCIAL OFFICER/

ADDRESS

CITY AND STATE

ZIP CODE

RONALD K. JONES

7901 SOUTH VERMONT AVE.

LOS ANGELES, CA

90044

AGENT FOR SERVICE OF PROCESS (If the agent is an individual, the agent must reside in California and Item 7 must be completed with a California address. If the agent is another corporation, the agent must have on file with the California Secretary of State a certificate pursuant to Corporations Code section 1505 and Item 7 must be left blank.)**6. NAME OF AGENT FOR SERVICE OF PROCESS**

ANGELA M. EVANS

7. ADDRESS OF AGENT FOR SERVICE OF PROCESS IN CALIFORNIA, IF AN INDIVIDUAL

CITY

STATE ZIP CODE

7901 SOUTH VERMONT AVENUE

LOS ANGELES

CA 90044

DAVIS-STIRLING COMMON INTEREST DEVELOPMENT ACT (California Civil Code section 1350, et seq.)

☐ Check here if the corporation is an association formed to manage a common interest development under the Davis-Stirling Common Interest Development Act and proceed to Items 9, 10 and 11.

NOTE: Corporations formed to manage a common interest development must also file a Statement by Common Interest Development Association (Form SI-CID) as required by California Civil Code section 1363.6. Please see instructions on the reverse side of this form.

9. ADDRESS OF BUSINESS OR CORPORATE OFFICE OF THE ASSOCIATION, IF ANY

CITY

STATE ZIP CODE

10. FRONT STREET AND NEAREST CROSS STREET FOR THE PHYSICAL LOCATION OF THE COMMON INTEREST DEVELOPMENT

(Complete if the business or corporate office is not on the site of the common interest development.)

11. NAME AND ADDRESS OF ASSOCIATION'S MANAGING AGENT, IF ANY

CITY

12. THE INFORMATION CONTAINED HEREIN IS TRUE AND CORRECT

ANGELA M. EVANS

TYPE OR PRINT NAME OF PERSON COMPLETING THE FORM

SIGNATURE

PRESIDENT

TITLE

DATE

SI-200 (REV 07/2006)

APPROVED BY SECRETARY OF STATE

